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OFFICE OF PETITIONS

In re Application of :
Robert R. Keller Jr. :
Application No. 09/997, 892 :
Filed: November 30, 2001 :
Attorney Docket No. 72312 :

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed June 28, 2004, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the final Office action mailed October 31, 2003, which set a shortened statutory period for reply of three (3) months. A proposed reply was received on February 2, 2004, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on February 2, 2004.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3229.

This matter is being forwarded to Technology Center Art Unit 2837 for appropriate action on the Appeal Brief filed February 2, 2004.

Retta Williams
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy